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RIGHTS OF THE CHILD

Letter dated 10 February 1994 from the Permanent Mission of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Chairman of the fiftieth session of the Commission on Human Rights

The Permanent Mission of the Federal Republic of Yugoslavia to the United Nations Office and other International Organizations at Geneva presents its compliments to the Chairman of the Commission on Human Rights and, with reference to its previous note No. 27 of 13 January 1994, has the honour to enclose herewith, once again, a document prepared by the Government of the Federal Republic of Yugoslavia entitled "Report on the problems and difficulties in the enforcement of the Convention on the Rights of the Child" and attached letter addressed to the Chairperson of the Committee on the Rights of the Child with the request that they be circulated as an official document of the fiftieth session of the Commission on Human Rights under agenda item 22.

GE.94-10955

PERMANENT MISSION OF THE
FEDERAL REPUBLIC OF YUGOSLAVIA
TO THE UNITED NATIONS
5, chemin Thury 1206 Geneve
Tel. 346 44 33 - 346 68 66 Fax 346 44 36 Tlx 42 77 54

15 November 1993

Dear Madam Chairperson,

Referring to the dramatic situation in which the entire civil population of the Federal Republic of Yugoslavia has found itself in, in particular its youngest and most precious inhabitants, the children, as well as the refugee children, I have the honour, in your capacity of Chairperson of the Committee on the Rights of the Child, to submit herein the Report "On the Problems and Difficulties in the Enforcement of the Convention on the Rights of the Child" prepared by the Government of the Federal Republic of Yugoslavia.

Commencing with its moral and state responsibility toward Yugoslav children and youth, as well as the obligations undertaken by the signing of the Convention on the Rights of the Child, the Government of the F.R. of Yugoslavia considers it to be its utmost duty to inform the Committee on the Rights of the Child, whose mandate it is to monitor the implementation of the Convention by Member States, on the violations of the rights of children of the F.R. of Yugoslavia guaranteed by the Convention, as a consequence of the implementation and enforcement of the UN sanctions. It is with regret that we have to inform you that, in the present conditions and obstacles which it cannot influence, the Federal Republic of Yugoslavia cannot secure an efficient implementation of the Convention on the Rights of the Child, nor adequate rehabilitation of the already present victims of its flagrant violations in spite of all legal and concretely undertaken measures.

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Mrs. Hoda BADRAN
Chairman of the
Committee on the Rights
of the Child
G e n e v a

In the present situation, that has no precedent in the history of mankind, the unalienable rights of every person in the F.R. of Yugoslavia are directly threatened, in particular that of children as a most vulnerable category of the population.

It is the children's right to life that is threatened in the first place (Article 6 of the Convention) as our children, in the 21st century, in the heart of Europe, are dying without medicaments and indispensable medical care (Article 24 of the Convention). The children of Yugoslavia are today, unfortunately, hungry and insufficiently nourished (Article 27 of the Convention) and neither the state nor the parents can provide them with elementary social security (Article 26) nor with an adequate living standard (Article 27). Refugee children in the F.R. of Yugoslavia, beside rights guaranteed by the Convention (Article 22), are being discriminated in respect to refugee children in the other territories of the former Yugoslavia, since due to political reasons, the former enjoy much less international assistance. Although the rights of the child are guaranteed within the framework of international cooperation (Article 4), our children have been deprived of the right of the child to preserve his or her identity (Article 8); the right to freedom of expression and freedom of information (Article 13); the right to information from international sources (Article 17); special care for disabled children (Article 23); the right to education (Articles 28 and 29); and the right of the child to rest and leisure (Article 31).

In this context we consider it indispensable that the Committee undertake an urgent action procedure in order to review the extremely grave situation of the children in the F.R. of Yugoslavia. It is with this aim that the Report of the Government of the F.R. of Yugoslavia we are submitting herein has been prepared. In accordance with the competences entrusted to the Committee, it should propose urgent measures for overcoming the obstacles to the efficient implementation of the Convention on the Rights of the Child in the F.R. of Yugoslavia. If such an action is not undertaken, it is our concerned estimate, that further mass violations of the rights of children in the F.R. of Yugoslavia shall persist, since the effects of the UN sanctions are progressively aggravating the situation.

We propose that the Committee, as preliminary steps, undertakes the following:

1. We would kindly ask the Committee to inform of the content of the attached Report all the Member States of the Convention, bearing in mind the spirit, fundamental principles and rules of the Convention, which provides a universal

obligation of all to secure full respect of the rights and the protection of all children, without discrimination.

The obligation to cooperation and assistance, in the first place of all Member States but also of the international community as a whole, in such flagrant cases of violation of the rights of children, surpass the framework of moral orientation and represent a clear legal obligation, undertaken by the signing of the Convention.

2. Also, we consider that the Committee should submit the Report, together with its recommendations, to all relevant UN bodies, the Treaty Bodies, the specialized agencies and, in particular, being politically the most responsible, the United Nations General Assembly and the Security Council, and to ask for their opinion and stance on the situation, as well as for their concrete and urgent measures for eliminating the difficulties in the implementation of the Convention on the Rights of the Child in the F.R. of Yugoslavia, within their mandates and in the areas they have been charged with.

This will be in accordance with the rules of the Convention (Article 45 (b)) and your adherence to the enhancement of methods and efficiency of work, to the best interest of children whose protection you monitor.

3. The Committee should, we believe, recommend to "the General Assembly that it request the Secretary-General to undertake on its behalf" to prepare a study on the specific issue of the influence and consequences such measures as sanctions have on the life and protection of children (Article 45, (c)).

Being faced with the tragic experience of the children in its country, as well as that of the refugee children, the Government of the F.R. of Yugoslavia considers that such a study would be in the interest of future generations and all children who for political reasons at any time can be deprived of their fundamental rights, freedoms and preconditions for normal growth and development.

It is to this effect that the Government of the F.R. of Yugoslavia, in its letter to the Secretary-General of the United Nations, Mr. Boutros Boutros-Ghali, proposed that such a recommendation of the Committee on the Rights of the Child be given support and be realized (see annex).

4. Bearing in mind the urgency of the situation and the constant aggravation of the situation of the children who live i the F.R. of Yugoslavia, who are also your children being members of the world community of children, we expect that the Committee will, already at this preparatory session, undertake all necessary steps to set into motion an urgent action procedure.

5. We sincerely hope that you shall urgently inform us of your decision and measures to be undertaken.

6. We remain at your disposal for all forms of cooperation and further information.

Please accept, dear Madam Chairperson, the assurances of my highest consideration.

Dr Vladimir Pavicevic
Ambassador

FEDERAL REPUBLIC OF YUGOSLAVIA
FEDERAL GOVERNMENT

Dear Mr. Ghali,

In conformity with the Convention on the Rights of the Child, Article 44, para 1, please find enclosed the Report which in line with Article 44, para 2, of the Convention outlines the factors and difficulties being encountered in the process of honouring the commitments undertaken by the Federal Republic of Yugoslavia with its ratification of the Convention on the Rights of the Child on 3 December 1990.

However, regardless of all procedural and formal rules, this Report should, first and foremost, be taken as evidence of the deep concern of a state and its citizens over the future and even the survival of their posterity and an appeal to the conscience of mankind, and primarily of those whose direct responsibility it is to look after children and their legitimate rights, to do everything in their power to rescue innocent children in the F.R. of Yugoslavia from the perils looming ahead of them.

For all those reasons, the attached Report has been communicated also to a number of international organizations, as well as to a number of governments and non-governmental organizations and individuals.

As you are aware, under UN Security Council resolutions 757, 787 and 820 the harshest sanctions that have ever been enforced against a country and a people in the history of mankind have been applied against the Federal Republic of Yugoslavia. In adopting those resolutions, account seems not or only very

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Dr. Boutros BOUTROS-GHALI
Secretary-General of the UNO
N e w Y o r k

maliciously to have been taken - which we do not wish to believe - of the extent to which they would afflict the innocent population and especially its most vulnerable sections (children the old and the sick) whose punishment and abuse will leave an inerasable stain on the conscience of the international community. What is particularly discouraging is that the UN Sanctions Committee and the state authorities of certain UN member states are acting all too assiduously even beyond the scope of the above resolutions, namely in the humanitarian field which had been explicitly exempted, thus violating both the mentioned resolutions and a number of international instruments on human rights and freedoms and applying even more terror on the population of the Federal Republic of Yugoslavia.

In view of the above, we pin high hopes on your personal compassion, so many times asserted, as well as on the human aspect of the function you are discharging and would appreciate if you could use your good offices to stop and remove at least those tragic effects of the embargo on the Federal Republic of Yugoslavia that have afflicted our children.

We would be grateful if you could see to it that this Report, in keeping with the above mentioned Article, is transmitted to the Committee on the Rights of the Child, for their information together with our request that the Committee, pursuant to Article 45, item c), recommends the General Assembly to ask the Secretary-General to undertake a study on the specific issues relating to children's rights on behalf of the Committee.

The Federal Republic of Yugoslavia will submit a regular progress report on the application of the Convention, a commitment it has undertaken by ratifying the Convention, at a later date.

Hoping that this will meet with your understanding and that you will accommodate our requests, please accept, on behalf of the Government of the Federal Republic of Yugoslavia and in my own name, the assurances of my highest consideration.

Margit Savovic
Federal Minister for Human and
Minorities Rights

FEDERAL REPUBLIC OF YUGOSLAVIA
FEDERAL GOVERNMENT

R E P O R T

ON THE PROBLEM AND DIFFICULTIES IN THE ENFORCEMENT OF THE CONVENTION ON THE RIGHTS OF THE CHILD (NOVEMBER, 1993)

I - INTRODUCTION

The Federal Republic of Yugoslavia, by acceding to and ratifying the Convention on the Rights of the Child, has accepted to act in conformity with all its provisions and has in all its activities, both in passing domestic legislature and in its international co-operation, complied with the principles set out therein. Having significantly expanded the rights envisaged by the Convention in its national legislation and practice, the F.R. of Yugoslavia is now, through no fault of its own, no longer in a position to apply the basic provisions of the Convention due to the effect of the relevant UN Security Council resolutions ratified by most of the signatory countries of the Convention.

Bearing this in mind, we consider it our moral right and, first and foremost, moral and legal obligation toward our young generation, as well as an obligation stemming from our membership to the Convention on the Rights of the Child, to inform the Committee on the Rights of the Child on the situation in which the children of the F.R. of Yugoslavia are in and to request, in accordance with the competences of the Committee, an urgent action procedure to review the said situation, on the basis of data we have submitted (as well as those we can additionally submit upon your request), and to propose urgent measures for overcoming the present obstacles for an efficient implementation of the Convention on the Rights of the Child in the Federal Republic of Yugoslavia.

Let us recall here as well that the competent authorities in the F.R. of Yugoslavia, including a large number of non-governmental organizations, have repeatedly informed the UN Security Council, the UN General Assembly, the World Health Organization and the World Human Rights Conference in Vienna on the status of children in the F.R. of Yugoslavia in the course of this year. This has been also commented on by the representatives of UNICEF, the World Health Organization and UNHCR on several occasions so far.

II - BACKGROUND INFORMATION

According to the 1991 population census, the Federal Republic of Yugoslavia has a population of 10.5 million, 3.2 million of which are children aged under 18 meaning that 40.4% of the population of the F.R. of Yugoslavia are children and young people under 24. The F.R. of Yugoslavia has further provided shelter to a large number of refugees coming from the war-torn former Yugoslav republics. According to the latest available figures, there are currently 548,310 registered refugees, 495,000 of which in the Republic of Serbia (5% of its total population) and 53,310 in Montenegro (8.5% of the total population of that republic). 230,000 refugee children under 18 live in the F.R. of Yugoslavia and over 10,000 babies have been born to refugees in the F.R. of Yugoslavia so far.

III - GENERAL ENVIRONMENT IN WHICH THE CHILDREN LIVE AND GROW UP

Unconstitutional separation, secession by a number of the republics which had been part of the former Yugoslavia, followed by the effects of the war in its neighbourhood, along with UN Security Council sanctions contained in resolutions 575, 787 and 820 have rapidly and dramatically worsened the social and economic situation in the F.R. of Yugoslavia.

All forms of international trade, scientific-technical and cultural co-operation have been broken off. Sanctions objectively mean a total international isolation of the F.R. of Yugoslavia.

From 1990 to 1993, the F.R. of Yugoslavia registered the cumulative loss of some US$ 25 billion in its social product (GNP) relative to 1989.

Unemployment is rapidly rising; some 1 million former employees of the public sector are out of work (of the total 2.3 million employed) or have lost their jobs due to sanctions and some 700,000 more have been temporarily rested. Regardless of the steps taken by the competent authorities, all this has triggered hyperinflation currently estimated to be running at an unbelievable 1% an hour.

The volume of total production has been drastically reduced, the per capita GNP dropped from US$ 2,330 in 1991 to US$ 1,750 in 1992, while, according to estimates, it will further decline by at least 30% in 1993.

Real monthly earnings average around US$ 12, while average pensions do not exceed US$ 8. The living standards of some 85% of the population in the F.R. of Yugoslavia have plummeted to the point of mere subsistence, and currently about 50% of the population is classified as persons in need of social welfare.

The number of suicides, particularly among old people, is rapidly rising.

The living standards of children in the F.R. of Yugoslavia have generally deteriorated. Neither parents nor the state can provide adequate living conditions for the physical, mental, spiritual, moral and social development of children under the present circumstances.

As a result of the accumulated problems, the status of children in the F.R. of Yugoslavia has also worsened to the point where it represents a gross violation of children's rights guaranteed by the Convention on the Rights of the Child.

The social climate for the children to grow, defined in the Preamble of the Convention as a prerequisite for normal development, is marked not by happiness and peace, but rather by fear, uncertainty, hostility, grief and insecurity. All this causes severe mental and psychological stress in children.

IV - THE SITUATION AND INFLUENCE OF SANCTIONS ON CERTAIN RIGHTS OF CHILDREN GUARANTEED BY THE CONVENTION ON THE RIGHTS OF THE CHILD

Sanctions have most drastic effects on the fundamental right of every human being, in particular that of a child, the right to life. This right of the children of Yugoslavia is threatened in many aspects, but most severely and most evidently through the area of health care.

The state of health of the population of the F.R. of Yugoslavia, and mothers and children in particular, is deteriorating every month regardless of the very well-developed network of health institutions and the totally free health services available to the public so far. This network comprises 191 public health homes; 23 state-of-the art medical centres; 20 specialized health institutions and 95 hospitals and clinical hospitals employing 92,000, including 21,000 doctors, 4,478 dentists and 2,479 pharmacologists.

This was recently pointed out also by the representative of the World Health Organization, Dr Hanu Uori who estimated with pessimism that "the current health situation in the F.R. of Yugoslavia is tantamount to a disaster, mortality has gone up 10% due to sanctions, the number of TBC cases has tripled, children are dying of malnutrition and for lack of medicines, all of which could have been avoided."

The health care budget, which in 1990 amounted to 4.5% of the GSP (cca US$ 50 per capita in real terms), went up in 1993 to 13%, but dropped to US$ 30 per capita in real terms so that now it cannot provide even for the minimum primary health care of the public, particularly not for the most vulnerable groups.

The pharmaceutical industry, once able to meet most of the domestic needs, cannot continue production in view of its high import depencency (over 95%), as a special decision by the Sanctions Committee has banned imports of raw materials for the production of drugs.

According to the estimations of the World Health Organization, the number of neuroses in the population has increased by some 600%. Experts predict a rise in the number of children and young people with mild and curable as well as with more serious mental disorders and say this will have unforeseeable negative consequences.

Death among infants, in Belgrade alone, has increased over the past year (1991-1992) from 14 to 16% and has continued to grow also in 1992. The number of risky pregnancies and babies born prematurely has increased. The Premature Children's Institute had treated 1,000 such children by 1 November 1993. In the first six months of 1993, 173 children developed sepsis, 17 meningitis, 41 came down with salmonellae, 412 contracted pneumonia, which represents a 50% increase on the corresponding 1992 figure.

Mortality due to infectious diseases which accounted for 7% in the 1991-1992 period, went up by 214% in 1992 and in the first half of 1993. The number of TBC cases relative to 1990 increased by 8.6%. The number of epidemics went up by 352% in hospitals.

In late 1992 and in the course of 1993, an increased number of children with rheumatic fever was registered particularly among refugee children.

Treatment of children suffering from chronic respiratory and renal diseases, diabetes and malignant diseases for months and years, has become the "nightmare" of their doctors and a tragedy for their parents, due to the shortage of expensive imported drugs. Anyone who meets those parents will realize how deep is the abyss of human despair.

The compulsory vaccination coverage of school children declined from 91.29% in 1988 to 84.2% in 1992 for Di-Te-Per; from 93.3% to 84.45% for polio; and from 91.79% to 80.64% for measles, with the continuing downward trend. The morbille epidemic in the capital of the Republic of Montenegro Podgorica alone afflicted 10,000 children. The main reasons, apart from the vaccine shortage, are fuel shortages, inadequate vaccine storage conditions due to obsolete equipment and impossibility of procuring spare parts.

Due to shortages of reagents and materials for clinical and microbiological laboratories, most diagnoses are established on the basis of clinical and other symptoms. The Pathology Institute

registered an increase in incorrect diagnoses from 19% in 1991 to 35% in 1992.

In the first five months of 1993, 44 babies died at cardio-surgical children's wards in two Belgrade and one Novi Sad clinical hospitals, as they could not be operated on for lack of needed materials, and as children with heart disease could not be sent abroad for further treatment, and the number of operations was reduced to one or two a week. The operation waiting list at the Mother and Child Institute in Belgrade includes the names of some 300 to 400 helpless children. Two clinical hospital centres in Belgrade and in Nis alone postponed some 3,600 operations for lack of materials in 1992.

The drastic situation of sick children and their parents brought on by the sanctions are painfully illustrated by the fact that the parents of 7 children treated for leukemia at the Belgrade Mother and Child Institute stated in the first 5 days of November 1993 that they wished to cancel further treatment as they were unable to afford the cost which had been the exclusive concern of the society in the period preceding the sanctions.

The same Institute cannot provide effective treatment for some 400 children suffering from haemophilia and to some 30 children with phenil-ketonuria.

The general population is threatened with possible larger-scale infections due to the lacking water purification agents. In certain areas, as Dragacevo, Western Serbia for instance, a large number of people developed infections after using bacteriologically unsafe water, which can be also termed a kind of local epidemic.

Particularly vulnerable is the position of refugee children in the F.R. of Yugoslavia; while they have integrated in the educational and health care systems, they suffer numerous negative consequences due to their abruptly broken childhood and exclusion from their former milieux. With all the concern by the state to provide for this fairly large category of children adequate accommodation and living conditions, the overall grave economic situation has had an even harsher impact on them, so that they have been more exposed to complaints of a mental nature, more prone to juvenile delinquency, alcohol and drug-abuse, and even to prostitution attended by attempted suicides.

The right of every child to social security has been put in danger, primarily due to the shortage of funds needed for maintaining the attained coverage standard. The status of disabled children, in particular, has deteriorated considerably.

We wish to bring to attention also the fact that 40,000 children of Yugoslav workers abroad, who have qualified for family allowance under relevant bilateral social security agreements entered into by Yugoslavia and certain countries where

our migrant workers live, have lost that right, despite the fact that the point at issue is social benefits which should not be subject to sanctions.

Hyperinflation, as a result of sanctions, has totally devalued the right to various forms of benefits and relevant entitlements (family allowance, maternity allowance, etc.), so that those forms of child care stop short of even provicing the minimum security for the most destitute families.

Pre-school institutions face the problem of many children leaving, for their parents cannot afford the cost of care in drastically deteriorated living conditions. Only 6.5% of all children being looked after at pre-school institutions get the usual number of meals. At compulsory primary schools a small number of children (some 30%) get a snack which is very low in calories. Calory intake of the overall population was reduced by some 30% in the 1990 - March 1993 period. The diet of no less than 20% of the population is below subsistence level. This is why 50% of all school children is suffering from anaemia in Belgrade.

To get a more rounded-off picture of the severe living conditions of children in the F.R. of Yugoslavia today, let us mention that most of the F.R. of Yugoslavia, with the exception of the coastal belt in Montenegro, is situated in the region marked by continental climate with harsh winters and average daily temperatures in the five winter months ranging from 0°C to 10°C, and often dropping even to -20°C.

Due to the shortage of energy-generating materials, hospitals, kindergartens and schools have not yet started heating even though air temperature in early November was around 0 degrees C. This will have unforeseeable consequences for the general health of the population and particularly for the vulnerable children population.

Sanctions have affected in many a way also the area of education, culture and information, regardless of those areas not having been directly mentioned in the relevant UN SC resolutions. A total break-off of international co-operation in those areas, according to the assessment by UNICEF, will have unforeseeable consequences for the future generations of children in the F.R. of Yugoslavia. Secondary and higher education that was free before the sanctions were imposed for all full-time pupils and students, now has to be paid up to 20% of the total cost by students whose parents find this difficult to bear. In addition, the conditions in which children attend school in Yugoslavia today are more than inhuman, due to the already mentioned heating problem.

Special schools for deaf, blind and other retarded children, attended by some 1,000 little pupils, are not in a position to continue providing even the indispensable orthopedic

aids, and, as a result, these children have joined the particularly vulnerable group. They further lack the basic teaching aids, meaning they have been deprived of even the most essential prerequisites for their education.

Sanctions are having a very negative impact as well on education of children of Yugoslav migrant workers abroad. In some countries with which bilateral agreements have been entered into - France, Germany - our children are banned from attending courses in their native language, as the embargo on importation of textbooks and other books from the F.R. of Yugoslavia is in force, schools running supplementary courses are being closed down and the supply of funds required for native language courses for Serbian and Montenegrin children - cut off. Moreover, high school textbooks in the F.R. of Germany and France abound in discriminatory references to the Serbs and Montenegrins and recent events in former Yugoslavia. The latest example is the information material "War in the Balkans" for 10th-form students in Hamburg, dealing in a biased and partial manner with the latest developments in the Balkans. It is not even necessary to mention here how gravely this will affect Yugoslav students of Serb and Montenegrin nationality and their relationships and credibility in the German environs when they will be forced to discuss it themselves in their classes in German schools. This represents a glaring violation not only of particular provisions of the Convention on the Rights of the Child (Art. 2, item 2) but also those of the Convention against Discrimination in Education, accepted by UNESCO.

The right of a child to rest and leisure, as well as to participation in cultural life and the arts has been jeopardized on account of the drastic drop in the living standards of the public in the conditions of sanctions. The possibilities of putting on foreign children's films, printing of foreign children's books, publication of foreign children's magazines have been denied. The most drastic example is the ban placed after 80 years on the printing of Mickey Mouse cartoon strips and other Disney heroes, whose adventures were followed by several generations in this country, but also in the countries of what is known as Western democracy that have by their measures isolated the children of the F.R. of Yugoslavia.

The outlined economic situation in the F.R. of Yugoslavia has also led to the country being unable to take appropriate measures to protect the environment, which has a bearing particularly on children as the most sensitive population category. Account should also be taken of the fact that this situation, as environmental pollution does not stop at state boundaries, has a negative impact, not only on children and other population in the F.R. of Yugoslavia, but can also affect life in neighbouring countries and elsewhere.

The above description of the situation, fragmentary though it is, reflects the extremely serious conditions facing the

population of the F.R. of Yugoslavia, and children in particular, including refugees who share the common lot brought about by the mentioned resolutions of the world community and sanctions set out therein.

This warrants the following question: did the countries signatories of the Convention on the Rights of the Child, in passing the mentioned resolutions, have in mind Art. 2, item 2 of the Convention, namely that:

"2. STATES PARTIES SHALL TAKE APPROPRIATE MEASURES TO ENSURE THAT THE CHILD IS PROTECTED AGAINST ALL FORMS OF DISCRIMINATION OR PUNISHMENT ON THE BASIS OF THE STATUS, ACTIVITIES, EXPRESSED OPINIONS, OR BELIEFS OF THE CHILD'S PARENTS, LEGAL GUARDIANS, OR FAMILY MEMBERS."

Did the countries signatories of the Convention on the Rights of the Child, in passing those resolutions, also bear in mind other articles of that Convention, namely Art. 4 (guaranteeing the right of the child within the framework of international co-operation); Article 6 (the child's right to life and development); Article 8 (the right of the child to preserve his or her identity); Article 13 (the right to freedom of expression and freedom of information); Article 17 (the right to information from international sources); Article 22 (care for refugee children); Article 23 (special care for disabled children); Article 24 (the right of the child to the highest standard of health and medical care); Article 26 (the child's right to benefit from social security); Article 27 (the right to an adequate living standard); Articles 28 and 29 (the right to education); and Article 31 (the right of the child to rest and leisure).

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V - IN CONCLUSION

The F.R. of Yugoslavia maintains that it is its moral right, and, first and foremost, its obligation toward its young generations, to request from the Committee on the Rights of the Child to reconsider, proceeding from the facts presented in this Report regarding the extremely grave status of children in the F.R. of Yugoslavia as a result of the UN SC sanctions, urgent measures which will make it possible to overcome the present situation and obstacles in order that the children of Yugoslavia may fully enjoy all their rights guaranteed by the Convention on the Rights of the Child as well as, and it is our profound conviction, by your highly moral and expert qualities and right to be unprejudiced, "to the best interest of the child".

In that context, the Committee should in particular reconsider the justifiability of any further enforcement of

resolutions 757, 787 and 820 from the standpoint of respect for children's rights stipulated in the Convention on the Rights of the Child. At the same time, the F.R. of Yugoslavia expects that the Committee will make an active contribution to the lifting of the profoundly unjust UN SC sanctions, upon a comprehensive review of the situation in the area of children's rights to protection.

The Federal Republic of Yugoslavia, therefore, looks forward to receiving an invitation to the debate on this so far untold case of infringement of the Convention on the Rights of the Child.

FOR THE FEDERAL GOVERNMENT
MS MARGIT SAVOVIC
FEDERAL MINISTER FOR HUMAN AND
MINORITIES RIGHTS

OFFICE DES NATIONS UNIES A GENÈVE

CENTRE POUR LES DROITS DE L'HOMME

UNITED NATIONS OFFICE AT GENEVA

CENTRE FOR HUMAN RIGHTS

Palais des Nations
CH-1211 GENEVE 10

Télefax: (022) 733 98 79
Télegrammes: UNATIONS, GENEVE
Télex: 28 96 96
Téléphone: 734 60 11 7310211

REF. N°: G/SO 228/1 (3)
(A rappeler dans la réponse)

19 November 1993

Dear Mr. Ambassador,

I should like to acknowledge with thanks the receipt of your letter of 15 November 1993. The Working Group of the Committee on the Rights of the Child discussed the contents of this letter at its session during the present week.

The Committee is deeply concerned about the situation of children in all parts of former Yugoslavia. At its third session, it decided to bring its concerns to the attention of Mr. Tadeusz Mazowiecki, the Special Rapporteur appointed by the Commission on Human Rights to follow the situation of human rights in the territory of the former Yugoslavia.

The Committee is today requesting the Special Rapporteur, Mr. Tadeusz Mazowiecki, to undertake a comprehensive report on the human rights situation of children in all parts of former Yugoslavia.

We would like to inform Your Excellency about an earlier initiative of the Committee, in which it requested that the General Assembly recommend to the Secretary-General to undertake a study on ways and means of improving the protection of children from the adverse effects of armed conflicts. That proposal was endorsed by the World Conference on Human Rights and is now up for discussion at the present session of the General Assembly. This study should be comprehensive and include humanitarian assistance aspects including on ways and means of meeting the basic needs of children.

Accept, Dear Mr. Ambassador, the assurances of my highest consideration.

Hoda Badran
Chairperson
Committee on the
Rights of the Child

His Excellency
The Ambassador of the
Permanent Mission of
the Republic of
Yugoslavia
to the United Nations
Office at Geneva
5 chemin Thury
1206 Geneva

PERMANENT MISSION OF THE
FEDERAL REPUBLIC OF YUGOSLAVIA
TO THE UNITED NATIONS
5, chemin Thury 1206 Geneve
Tel. 346 44 33 - 346 68 66 Fax 346 44 36 Tlx 42 77 64

No. 1049/1

23 November 1993

Dear Madam Chairperson,

I would like to thank you and the members of the Working Group of the Committee on the Rights of the Child on your speedy reply [ref. no.: G/SO 228/1 (3)] of 19 November 1993 referring to the Report of the Government of the Federal Republic of Yugoslavia and my letter of 16 November 1993 sent to you on the occasion. In the said communications we informed you in detail of the dramatic situation of the children in the F.R. of Yugoslavia as a consequence of the implementation of the UN sanctions and, in accordance with the responsibilities the Committee has been mandated, requested the undertaking of an urgent action procedure.

I would also wish to thank you for informing us that you brought to the attention of the Special Rapporteur Mr. Tadeusz Mazowiecki that you were "deeply concerned about the situation of children in all parts of former Yugoslavia" and that you requested that he "undertake a comprehensive report on the human rights situation of children in all parts of the former Yugoslavia."

However, at the same time, I would like to take the opportunity to point out, once again, that the situation of the children in the Federal Republic of Yugoslavia, as a consequence of the implementation of the UN sanctions, is extremely critical and that I hope that the sense of urgency, which characterizes my Government's approach and the document itself, will be followed up by an action, appropriate to the graveness of the situation.

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Ms Hoda Badran
Chairperson
Committee on the Rights
of the Child
United Nations Centre for
Human Rights
G e n e v a

In this connection, I would like to draw your attention to the fact that since your first communication to the Special Rapporteur Mr. Tadeusz Mazowiecki, nearly a year ago, the situation of the children in the F.R. of Yugoslavia has drastically deteriorated, as can be seen even more concretely from the data given in the Report we transmitted to you. This is also confirmed in Mr. Tadeusz Mazowiecki's latest Fifth Report which concludes explicitly as follows: "The situation is expected to worsen dramatically during winter, particularly for the most vulnerable - the old and the very young" (doc. E/CN.4/1994/47, para. 223, 33).

Bearing all this in mind, I would once again kindly ask you to consider the possibility of your direct and urgent commitment to avoid, or at least alleviate, the humanitarian catastrophe threatening the children of the F.R. of Yugoslavia.

Deeply convinced that, in the case of the children of the F.R. of Yugoslavia too, the Committee will carry out all the responsibilities given it, not only in compliance with the provisions of the Convention but also with the basic principle - that it is acting in the best interest of children, please accept, dear Macam Chairperson, the assurances of my highest consideration.

Dr. Vladimir Pavicevic
Ambassador